



OFFICE OF  
INSURANCE COMMISSIONER

BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF WASHINGTON

In the Matter of )  
 ) No. D 2003- 288  
**ROCKY MOUNTAIN ELK** )  
**FOUNDATION** ) STIPULATIONS, FINDINGS,  
 )  
Missoula, MT ) CONSENT AND ORDER  
 )

ROCKY MOUNTAIN ELK FOUNDATION is a charitable organization and has been issuing charitable gift annuities in the State of Washington, and is therefore governed by Title 48 RCW.

This administrative action is based on allegations by the Commissioner's staff that ROCKY MOUNTAIN ELK FOUNDATION violated RCW 48.38010(10), by the activity described in the following numbered paragraphs. To resolve only the issues identified in the following numbered paragraphs, to eliminate the necessity for a hearing, and as a negotiated settlement of the Commissioner's allegations, ROCKY MOUNTAIN ELK FOUNDATION has voluntarily executed the Consent to Order contained herein and stipulates to the entry of the Order contained herein.

STIPULATIONS

1. RCW 48.38.010(10) requires each charitable organization holding a Certificate of Exemption to annually file with the Insurance Commissioner an annual statement, the statement of a qualified actuary, and pay an annual filing fee on or before March 1<sup>st</sup> of each year.
2. ROCKY MOUNTAIN ELK FOUNDATION did not file its annual statement, the statement of a qualified actuary, and pay its annual filing until April 28, 2003, 58 days late.

FINDINGS

1. The Commissioner finds that ROCKY MOUNTAIN ELK FOUNDATION by and through the conduct described above, has violated RCW 48.38.010(10) RCW.

2. The Commissioner further finds that RCW 48.38.050 authorizes a fine in an amount not more than \$10,000 for violations of Chapter 48.38 RCW.

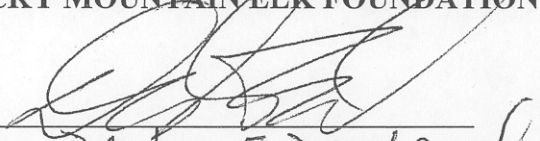
### CONSENT TO ORDER

Based on the above and foregoing stipulations, ROCKY MOUNTAIN ELK FOUNDATION consents to pay a fine in the amount Two Thousand Five Hundred Dollars and 00/100 (\$2,500).

Based on the above and foregoing stipulations, ROCKY MOUNTAIN ELK FOUNDATION voluntarily consents to the following order to resolve the issues and alleged conduct described herein.

Based on the above and foregoing stipulations, ROCKY MOUNTAIN ELK FOUNDATION acknowledges its duty and obligation to fully comply with the applicable laws and regulations of the State of Washington.

Signed this 23 day of January 2004  
ROCKY MOUNTAIN ELK FOUNDATION

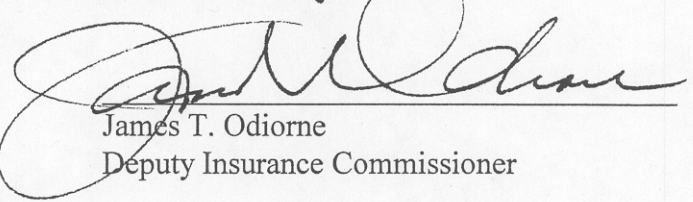
by:   
Title: Director of Development

### ORDER

IT IS ORDERED that pursuant to RCW 48.38.050 and the foregoing Stipulations, Findings, and Consent to Order, ROCKY MOUNTAIN ELK FOUNDATION pay a fine in the amount of Two Thousand Five Hundred Dollars and 00/100 (\$2,500) for the activity described in the foregoing Stipulation.

IT IS FURTHER ORDERED that in the event that this sum is not paid within 30 days from the date of this order, the sum will be recoverable in a civil action brought on behalf of the Insurance Commissioner by the Attorney General, pursuant to RCW 48.05.185.

SIGNED AND ENTERED THIS 6<sup>th</sup> day of February 2004

  
James T. Odiorne  
Deputy Insurance Commissioner

